

LUNENBURG COUNTY BOARD OF SUPERVISORS
GENERAL DISTRICT COURTROOM
LUNENBURG COURTS BUILDING
LUNENBURG, VIRGINIA

Minutes of January 9, 2020 Meeting

The annual reorganizational meeting of the Lunenburg County Board of Supervisors was held on Thursday, January 9, 2020 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Charles R. Slayton, Frank W. Bacon, Mike Hankins, Robert Zava, Edward Pennington, County Administrator Tracy M. Gee, Deputy County Administrator Nicole Clark, and County Attorney Frank Rennie.

County Administrator Gee called the reorganizational meeting to order.

Circuit Court Clerk Gordon Erby administered the oath of office to re-elected Supervisors J. Mike Hankins, Edward Pennington, Alvester Edmonds, and Charles R. Slayton.

Administrator Gee asked for nominations for the position of Chairman.

Supervisor Edmonds nominated Charles R. Slayton; Supervisor Hoover seconded the motion. Supervisor Bacon moved that nominations be closed with Supervisor Edmonds making the second, and all present in favor. On a roll call vote, Supervisor Slayton was unanimously re-elected to the position of Chairman. Administrator Gee presented Chairman Slayton with the gavel.

Chairman Slayton asked for nominations for the position of Vice-Chairman.

Supervisor Hankins nominated Frank W. Bacon for Vice-Chairman; Supervisor Pennington seconded the motion. Supervisor Pennington moved that nominations be closed with Supervisor Edmonds making the second, and all present in favor. On a roll call vote, Supervisor Bacon was unanimously re-elected to the position of Vice-Chairman.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to adopt the 2020 Invocation and Meeting Schedule and 2020 Holiday Calendar.

Supervisor Bacon made motion, seconded by Supervisor Hankins and unanimously approved, to adopt Robert's Rules of Order.

Chairman Slayton called the regular meeting of the Board of Supervisors to order.

Supervisor Bacon led the Pledge of Allegiance and gave the invocation.

Chairman Slayton requested additions to the agenda from the Board and the public. Supervisor Edmonds requested that a nomination for the Crossroads Community Services Board be added as 12B. County Attorney Rennie requested that a resolution regarding the Conditional Use Permit for Container First Services be added as 12C.

Chairman Slayton explained that several Board Members had reached a milestone on their years of service serving on the Board of Supervisors. Supervisors T. Wayne Hoover and Bobby Zava were

recognized for 10 years of service. Supervisor Frank Bacon was presented with plaque for 30 years of service.

Supervisor Bacon made motion, seconded by Supervisor Hankins and unanimously approved, to accept the Consent Agenda to include the minutes of the December 12, 2019 meeting, the Treasurer's November 2019 reports and the following Warrants for Approval:

December 2019:

Payroll Direct Deposit:	\$ 133,214.30
Payroll Taxes Federal:	\$ 41,912.79
Payroll Taxes State:	\$ 7,600.74
Payroll VRS payment:	\$ 28,223.46
Payroll ICMA-RC payment:	\$ 352.86
Payroll Health Savings Deposits:	\$ 5,926.42
<i>Debt Service wire payments:</i>	\$ 50,757.49
Accounts Payable: #58529-58655	<u>\$ 241,423.02</u>
 Total:	 \$ 509,411.08

Mr. Kevin Smith provided the monthly VDOT report. He noted that they had been repairing low shoulders and pot holes on various routes. Also, crews had been preparing for the snow season and were ready if it snows. He reminded the Board of the scheduled public hearing at the February Board meeting for the abandonment of portions of Bailey Road and Zach Road.

Mr. Charles Berkley, School Superintendent, provided the monthly school report. He advised that he and the School Board continue to work on the FY20-21 budget. They plan to provide their request to the Board of Supervisors on March 31st for review and consideration. Mr. James Abernathy, Assistant Superintendent, provided the financial report. He advised that they have a considerable increase in special needs students. The current count is 234, up from 187 last year. He noted that services required for these students are more costly than others and can vary by special education student due to their specific needs. They also need to hire additional special needs teachers and staff for the increase in students. Mr. Abernathy stated that this was an example of one unexpected increase in their expenses. He added that other increases in their upcoming budget request would be explained as their budget request is presented to the Board.

Mr. Abernathy indicated that they recently replaced a HVAC unit at the Lunenburg Middle School for \$12,495. Mr. Abernathy then advised that 2 of the twenty-one (21) year old HVAC systems on the roof top of the gym at Central High School have now failed. Mr. Abernathy shared that the bid to replace both systems, which will require the use of a crane, is \$22,221. He added that they need to move forward with replacement as soon as possible as there is no heat in the locker rooms and the heat in the gym is not up to par. The company who provided the quote can install the new units within ten days to two weeks. He requested permission to use capital funds in the amount of \$22,221 for the purchase and installation of two HVAC units at Central High School.

Supervisor Hoover made a motion, seconded by Supervisor Pennington and unanimously approved, to allow the use of capital funds to pay for the two roof top HVAC systems at Central High School in the amount of \$22,221, with the final invoice to be forwarded to the County Administration Office for payment.

Supervisor Zava questioned how many students they are budgeting for in the upcoming 2020-21 fiscal year. Mr. Abernathy explained that the state has told them to base their budget on 1467 students. Current enrollment is 1522.

Administrator Gee shared two proposed resolutions from Virginia Association of Counties. One resolution is in support of legislation to improve the process for review of legislation with local fiscal impact. The second resolution is in support for equal taxing authority for Virginia Counties. VACo is requesting support from the localities of the two proposed resolutions.

<p>BOARD OF SUPERVISORS Charles R. Slayton, CHAIRMAN Election District 4 Frank W. Bacon, VICE-CHAIRMAN Election District 3 T. Wayne Hoover Election District 1 Mike Hankins Election District 2 Edward Pennington Election District 5 Alexander L. Edmonds Election District 6 Robert G. Zava Election District 7</p>		<p>Lunenburg County Administration 11413 Courthouse Road Lunenburg, VA 22952 Telephone: (434) 696-2142 Facsimile: (434) 696-1798</p> <p style="text-align: center;">Tracy M. Gee County Administrator</p>	<p>BOARD OF SUPERVISORS Charles R. Slayton, CHAIRMAN Election District 4 Frank W. Bacon, VICE-CHAIRMAN Election District 3 T. Wayne Hoover Election District 1 Mike Hankins Election District 2 Edward Pennington Election District 5 Alexander L. Edmonds Election District 6 Robert G. Zava Election District 7</p>		<p>Lunenburg County Administration 11413 Courthouse Road Lunenburg, VA 22952 Telephone: (434) 696-2142 Facsimile: (434) 696-1798</p> <p style="text-align: center;">Tracy M. Gee County Administrator</p>
<p><u>Resolution in Support of Legislation to Improve the Process for Review of Legislation with Local Fiscal Impact</u></p>			<p><u>Resolution of the Lunenburg County Board of Supervisors Support for Equal Taxing Authority for Virginia Counties</u></p>		
<p>WHEREAS, each year the General Assembly considers thousands of pieces of legislation, many of which have a significant impact on local governments; and</p> <p>WHEREAS, in recognition of the need for localities to have an opportunity to review and analyze legislation that may require additional expenditures of local funds or reduce local revenues, Virginia Code sets out a process for the Commission on Local Government to develop local fiscal impact statements for such bills, with the assistance of local volunteers; and</p> <p>WHEREAS, under the current process, the large volume of bills and the rapid pace of the legislative session limit the time that is available for the review of bills with implications for local government finances; and</p> <p>WHEREAS, the local volunteers who assist with the fiscal impact review process take on this responsibility in addition to their regular duties, often during the same time as local budgets are being finalized; and</p> <p>WHEREAS, prior to 2010, legislation that had a local fiscal impact was required to be introduced by the first day of the General Assembly session, which allowed some additional time for the legislation to be reviewed by the Commission on Local Government and local staff, but this requirement was eliminated in the 2010 session, compressing the opportunity for review of legislation in subsequent General Assembly sessions; and</p> <p>WHEREAS, additional time to review legislation would allow for a more thorough understanding of the potential ramifications of bills affecting local finances; and</p> <p>WHEREAS, a robust analysis of legislation affecting local governments benefits policymakers, as localities work in partnership with the state to deliver critical services to Virginia residents;</p> <p>Now, therefore, be it resolved that the Board of Supervisors of Lunenburg County expresses its support for legislation that would provide additional time for review and analysis of legislation with a fiscal impact on localities, as well as direct further consideration of additional ways to improve the review process.</p> <p>Approved this 9th day of January, 2020.</p> <p>APPROVED _____ ATTEST _____ Chairman, Board of Supervisors Clerk, Board of Supervisors</p>			<p>Whereas, under the Code of Virginia county governments have less authority to raise revenues to meet their responsibilities than do cities and towns, and</p> <p>Whereas, limitations on counties' ability to raise revenues from diverse sources result in an over-reliance on real property taxes to fund basic services of local government; and</p> <p>Whereas, counties are limited in their ability to raise revenues from meals, cigarette, transient occupancy, and admissions taxes that are available to cities and towns; and</p> <p>Whereas, providing counties equal taxing authority merely provides local boards of supervisors the ability to levy the same taxes that may already be imposed by city councils; and</p> <p>Whereas, county governments have the same responsibility as cities for the funding of and meeting state requirements for core services, such as K-12 education, public safety, social services, and public health; and</p> <p>Whereas, relying too heavily on one source of revenue leaves counties vulnerable to downturns in the real estate market and population shifts; and</p> <p>Whereas, additional tools to raise revenues would allow counties options to invest the necessary additional funds to respond to modern-day challenges, such as enhancing election cybersecurity; providing mental health treatment in jails; addressing substance abuse; maintaining vital infrastructure, such as water and sewer systems; and implementing Next-Generation 911 technology; and</p> <p>Whereas, state-enabling legislation is required to provide counties with this additional taxing authority; and</p> <p>Whereas, each locality is best positioned to determine the appropriate mix of revenue sources to meet local needs;</p> <p>Now Therefore, the Board of Supervisors of Lunenburg County does hereby resolve and express its support and desire for the Virginia General Assembly to enact such legislation as is necessary to authorize Virginia counties to exercise additional taxing authority equal to that of cities and towns.</p> <p>Approved this 9th day of January, 2020</p> <p>APPROVED _____ ATTEST _____ Chairman, Board of Supervisors Clerk, Board of Supervisors</p>		

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to adopt the above resolutions recommended by VACo regarding support of legislation to improve the process for review of legislation with local fiscal impact and support for equal taxing authority for Virginia counties.

County Attorney Rennie shared a resolution regarding the modifications to the Conditional Use Permit and Host Agreement approved at last month's meeting for Container First Services/Meridian Waste. He requested approval of the resolution by the Board to make them a permanent record of the minutes.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the below resolution regarding the modifications to the Conditional Use Permit and Host Agreement approved for Container First Services/Meridian Waste.

RESOLUTION OF LUNENBURG COUNTY
BOARD OF SUPERVISORS

WHEREAS, in 2013 Lunenburg County ("the County") sold the County landfill to RWG5, LLC; and

WHEREAS, THE County issued a Conditional Use Permit for RWG5 to operate the landfill and entered into a Host Agreement with RWG5 to provide for the terms and conditions for the operation of the landfill; and

WHEREAS, in 2019 RWG5 sought to modify the Conditional Use Permit and the Host Agreement; and

WHEREAS, the Lunenburg County Board of Supervisors and the Lunenburg County Planning Commission, after proper notice, held a joint public hearing on November 19, 2019, regarding the Modified Conditional Use Permit; and

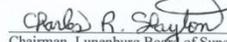
WHEREAS, THE Lunenburg County Board of Supervisors and the Lunenburg County Planning Commission held a joint meeting on December 12, 2019; and

WHEREAS, at the meeting the Planning Commission voted 6-1 in favor of recommending approval of the Modified Conditional Use Permit; and

WHEREAS, at the meeting the Lunenburg County Board of Supervisors voted 6-1 in favor of approving the Modified Conditional Use Permit and the Modified Host Agreement.

NOW, THEREFORE, the Lunenburg County Board of Supervisors does hereby resolve that the Modified Conditional Use Permit and Modified Host Agreement presented at the December 12, 2019, meeting are hereby approved and adopted this 9th day of January, 2020, retroactive to December 12, 2019.

Approved this 9th day of January 2020.


Chairman, Lunenburg Board of Supervisors

Supervisor Hoover advised that the new Animal Control truck had arrived and is currently having the camper shell and radio systems installed. It will be striped and lettered with the same scheme as the previous truck. It should be ready for Animal Control Officer Ray Elliott to begin using in two weeks.

Supervisor Hankins shared that two years ago he was appointed to the Commonwealth Regional Council Board. He recalled that the Board was unhappy with the dues structure of the council. He was an advocate for changing the dues structure so that any unused portion of the dues above their reserve of \$500,000 would be returned to the member localities. Supervisor Hankins and CRC Executive Director Melody Foster were pleased to share that due to the new structure, each member county would be receiving \$4,830.60 in unused member dues.

Supervisor Hankins made a motion, seconded by Supervisor Edmonds and unanimously approved, to accept the funds in the amount of \$4,830.60 from the CRC and earmark the funds for local match for potential grants that may help with economic development in the future.

Administrator Gee advised that she was advised by Piedmont Senior Resources Executive Director Justine Young of a conflict of interest with the previous citizen appointee to the Piedmont Senior Resources Board and she would need another nominee from the Board. Ms. Gee also stated that she was still in need of a nomination for the Crossroads Community Services Board to replace Mr. Sid Smyth.

Mr. Glenn Millican, County Planner and Economic Development Director, provided his monthly report. He advised that he is currently in discussions with two metal fabrication business that are potentially interested in locating within the county. He noted that the Community Impact Grant Housing Study survey is in circulation around the county. Kenbridge Town Manager Tony Matthews shared that the survey has been placed in many locations within Kenbridge already. They are trying to take a proactive approach to obtain as much input as possible.

Administrator Gee provided her monthly report. She reminded the Board that the local fire and rescue department dinners were coming up. She also stated that the Annual Local Government

Legislative Day hosted by VACo would be held on Thursday February 6th. Supervisors Hankins, Edmonds, and Pennington will attend. Administrator Gee reported that the County Administrator from Prince Edward County provided a projected budget without federal inmates for Piedmont Regional Jail. The projection showed that removing federal inmates would require an additional \$201,356.58 in funding just from Lunenburg. Administrator Gee noted that she and other member County Administrators were recommending they continue housing federal inmates, but at a reduced level. She added that PRJ is still having an issue with staffing and staff members putting in too much overtime. Administrator Gee reported that the Gary Road Convenience Center site construction had been completed except for the placement of the compactors and completion of the staff shed, which would be delivered the following day. She noted that the contractor of the site had billed an additional amount not in the original agreement. Building Official Jamie Tuck is in discussions with the contractor to determine what amount is owed.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel, §2.2-3711A3 Acquisition or Disposition of Publicly Held Real Property and §2.2-3711A7 Legal Consult.

CERTIFICATION OF CLOSED SESSION MEETING

WHEREAS, the Board of Supervisors of Lunenburg County, Virginia (“Board”) convened a Closed Session Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section §2.2-3712 of the Code of Virginia, 1950, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from Open Meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board.

VOTING YES

Supervisor Edmonds
Supervisor Hankins
Supervisor Bacon
Supervisor Hoover
Supervisor Pennington
Supervisor Slayton
Supervisor Zava

VOTING NO

ABSENT

Supervisor Zava made a motion, seconded by Supervisor Bacon and unanimously approved, to return to Open Session.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to adjourn.

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors